

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1515 of 2020

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Arjun Prasad Sah Son of Late Ramji Sah Resident of Village- Chandsuritola,
Arajpur, P.S.- Chausa, District- Madhepura. Also Resident of Village-
Makandpur, P.S.- Gopalpur, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Chief Secretary, Government of Bihar, Patna.
3. The Principal Secretary, Department of Education, Government of Bihar, Patna.
4. The Principal Secretary, Department of Finance, Government of Bihar, Patna.
5. The Director, Primary Education, Government of Bihar, Patna.
6. The District Magistrate, Bhagalpur.
7. The Regional Deputy Director of Education, Bhagalpur.
8. The District Education Officer, Bhagalpur.
9. The District Programme Officer (Establishment), Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Jagjit Roshan
For the Respondent/s : Mr.Prabhakar Jha (Gp27)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 18-02-2020 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

Grievance of the petitioner in the present writ
application is discrimination in the matter of grant of Senior
Selection Grade.

Learned counsel submits that Senior Selection Grade
has been granted to similarly circumstanced teachers.

State is state even in the matter of commercial



activities, the Apex Court has occasion to hold that the State cannot discriminate its citizen even in the matter of distribution of larges and bounty. Reference in this regard may be made to the judgment in the case of **R.D. Shetty vs. IAAI & Ors reported in AIR 1979 Supreme Court 1628 .**

Considering the principle laid down by the Apex Court in the case of **R.D. Shetty vs. IAAI & Ors (supra)** the writ petition is disposed of with a direction to the respondents to examine the claim of the petitioner and if similarly circumstanced others have been granted the benefit of pay of senior selection grade, the same should be extended to this petitioner.

Necessary decision in this regard may be taken by the respondents within a period of four months from the date of receipt/production of a copy of this order.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

Ravi/-

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